

and we need the Corps working to get that done.

In the Red River Valley of the North, as Senator KLOBUCHAR said so accurately, we are working together for comprehensive flood protection in that region. It is a multibillion-dollar, multi-State project that uses the latest approach of a public-private partnership with a WIFIA loan guarantee. We are doing things in a way that hasn't been done before that can really help us cut into the backlog that the Corps has on these flood projects.

But it takes a lot of work and a lot of creativity to keep that moving forward, and so we need the Assistant Secretary in place to help us do that, and that is why we need to move forward with this confirmation vote.

And as Senator KLOBUCHAR said correctly, Mr. Connor is well qualified for this position. He held the No. 2 position at Interior from 2014 to 2017. He also served as Commissioner of the Interior's Bureau of Reclamation from 2009 to 2014. He worked on Capitol Hill from 2001 to 2009 as counsel to the Senate Energy and Natural Resources Committee.

So he has got the background to do this. He is ready to go. Let's have this vote on confirmation and let's put him to work for the great people of this great country.

And with that, I would defer again to the Senator from Minnesota for any concluding remarks she has, but, again, I want to thank her for working on this in a bipartisan way.

Ms. KLOBUCHAR. With that, I will turn it over to Senator MURRAY.

Thank you very much, Senator HOEVEN.

The PRESIDING OFFICER. The Senator from Washington.

NOMINATION OF RAJESH D. NAYAK

Mrs. MURRAY. Madam President, first of all, I come to the floor to call for the confirmation of Rajesh Nayak to serve as Assistant Secretary of Labor for Policy.

Over the past year and a half, our working families across the country have really struggled through the most unequal economic crisis in recent history.

COVID put a glaring spotlight on many of the problems workers were already facing before this pandemic and has worsened longstanding inequities, making life harder for women, workers of color and workers with disabilities, and others.

If we are going to build back stronger and fairer from this pandemic, then our Federal Agencies must be fully staffed with highly qualified people who will help us tackle the many challenges hurting workers, retirees, and their families.

Mr. Nayak already has an impressive track record of doing just that. Mr. Nayak served as a senior adviser to Secretary Walsh at the Department, and also previously served in the Solicitor's office as Deputy Assistant Secretary for Policy and Deputy Chief of

Staff. In those roles, he has worked on a broad portfolio of issues important to workers across the country, including workforce development, worker protection, counter-trafficking, overtime pay, health and safety, retirement security, and more.

He has also worked twice at the National Employment Law Project, including most recently as deputy CEO. As an advocate and a policymaker, he has shown time and again his commitment to empowering workers, supporting families, and advancing equity. And I have no doubt that, if confirmed as Assistant Secretary of Labor for Policy, he will continue working in the best interests of workers and their families, and I urge all of my colleagues to join me in voting in support of his nomination.

JOHN LEWIS VOTING RIGHTS ADVANCEMENT ACT

Madam President, I also rise today before this really crucial vote because I want to make it clear that Democrats are not done on the issue of voting rights.

First of all, I want to thank my colleague, Senator MURKOWSKI, from Alaska, whose remarks we should all listen to because we do have some who are repeatedly preventing us from even debating voting rights legislation; most recently the Freedom to Vote Act.

I want everybody to know we are not done fighting to ensure that every person in this country has equal and fair access to the ballot. We are not done because the cause we are fighting for here today is a just one and Americans want to see us protect their right to vote, and the John Lewis Voting Rights Advancement Act does exactly that.

This bill will restore and strengthen the 1965 Voting Rights Act, which is one of the most important bills in our Nation's history. It was a bipartisan rejection of racist attempts by States to deny the ballot to people of color, and it came after years of dedicated work by activists and lawmakers, including the late, honorable Congressman Lewis, who were and are intent on ensuring our country followed through on our Nation's most fundamental promise to its citizens: the promise that every United States citizen has an equal voice in our elections.

For most of the decades following its passage, the provisions in the 1965 Voting Rights Act have enjoyed bipartisan support. But in recent years, the power and protections of this crucial law have been gutted, and far-right legislators in States across our country are now passing laws that make it harder for communities of color to vote, all based on baseless claims about voter fraud and rigged elections.

It is shameful and it really is anti-democratic, and it should be bigger than partisan politics. We should be able to come together on a bipartisan basis to pass a Federal prohibition on laws that restrict the right to vote based on race. Protecting each citizen's right to have a voice in our democracy

should be as noncontroversial as naming post offices, because the right to vote is the cornerstone of our democracy, and attempts to weaken it weaken the foundation that we all depend on.

Those are the stakes here: the foundation and future of our democracy.

Without equal access to the ballot, how will people tell us what they want to see on most challenging questions of our time, like climate or healthcare or education or so much more?

So even if many of my Republican colleagues disagree with me about the provisions included in this bill, they should at least allow us to move forward on a debate. If they have good-faith ideas how to protect every American's voice in our democracy, we are all ears. But we will need more than one or two Republicans in order to be able to have that debate on the floor and offer amendments.

And if we can't get there, I think we need to be clear. As Congressman Lewis said: "Nothing can stop the power of a committed and determined people to make a difference in our society."

To the people of my home State of Washington and to the country: My Democratic colleagues and I are committed and determined to pass strong voting rights legislation.

And we can't keep bringing these bills to the floor only for Republicans to block even a debate. We need to use every legislative tool needed to get the John Lewis Voting Rights Advancement Act to President Biden's desk. Whatever we have got to do to pass voting rights, if it means an exemption to the filibuster, then I believe we should do it. This cannot wait.

Passing strong Federal voting rights protections into law will be the most important work this Congress does. We cannot let a Senate procedure stop us from protecting the right to vote in the United States of America.

Let's make sure our democracy stays a democracy, and let's pass the John Lewis Voting Rights Advancement Act, whatever it takes.

I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. This has become an almost weekly routine—my friends on the other side trying to give Washington unprecedented power over how Americans cast their vote.

We don't have time to do the NDAA or an appropriations process, but we always have time for a few more of these stunts. In many of these bills, congressional Democrats propose to make themselves into a national board of elections.

Today, there is a small difference. They want, instead, to hand that power to Attorney General Merrick Garland; different branch of government, same bad idea.

I just want to add one observation from last night. Governors' races and State legislative seats weren't the only

things on the ballot last night. Yesterday, the deep blue State of New York—New York, the home of the Senate majority leader—had two of America's signature proposals for weaker elections actually on the ballot as ballot measures. Citizens got to vote directly on whether to open the door to two changes that the politicians wanted: same-day registration and no-excuse absentee voting, on the ballot in New York yesterday.

And as of the latest tally a few minutes ago, both proposals were losing. They currently are both losing about 60/40. Even in deep blue New York, citizens appear to be rejecting the Democrats' demands for weaker elections.

So I think there is only one question left: Where will the Mets and Yankees end up now?

Surely Major League Baseball can't let them stay in New York after this.

I urge a no vote.

Mrs. MURRAY. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

CLOTURE MOTION

The VICE PRESIDENT. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the standing rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 143, S. 4, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

Charles E. Schumer, Patrick J. Leahy, Sheldon Whitehouse, Thomas R. Carper, Richard J. Durbin, Catherine Cortez Masto, Margaret Wood Hassan, Raphael Warnock, Gary C. Peters, Patty Murray, Kirsten E. Gillibrand, Jacky Rosen, Elizabeth Warren, Benjamin L. Cardin, Tina Smith, Alex Padilla, Amy Klobuchar.

The VICE PRESIDENT. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 4, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Ms. ROSEN assumed the Chair.)

(Ms. BALDWIN assumed the Chair.)

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Dakota (Mr. ROUNDS).

The yeas and nays resulted—yeas 50, nays 49, as follows:

[Rollcall Vote No. 459 Ex.]

YEAS—50

Baldwin	Hickenlooper	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Rosen
Booker	Kelly	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warnock
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Hassan	Ossoff	Wyden
Heinrich	Padilla	

NAYS—49

Barrasso	Graham	Risch
Blackburn	Grassley	Romney
Blunt	Hagerty	Rubio
Boozman	Hawley	Sasse
Braun	Hoeven	Schumer
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cornyn	Lankford	Thune
Cotton	Lee	Tillis
Cramer	Lummis	Toomey
Crapo	Marshall	Tuberville
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Portman	

NOT VOTING—1

Rounds

Mr. SCHUMER. I vote no.

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 49.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The motion was rejected.

MOTION TO RECONSIDER

Mr. SCHUMER. Madam President, I enter a motion to reconsider the failed cloture vote.

The VICE PRESIDENT. The motion is entered.

MOTION TO DISCHARGE

Mr. SCHUMER. Madam President, pursuant to S. Res. 27, the Committee on the Judiciary being tied on the question of reporting, I move to discharge the Committee on the Judiciary from further consideration of Jennifer Sung, of Oregon, to be United States Circuit Judge for the Ninth Circuit.

The VICE PRESIDENT. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders, or their designees, with no motions, points of order, or amendments in order.

Mr. SCHUMER. I ask for the yeas and nays.

The VICE PRESIDENT. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

Mr. SCHUMER. Madam President, for the information of the Senate, we expect to vote to discharge the nomination to occur following the votes that are scheduled to begin at 5:15 tonight. Therefore, Senators should expect three rollcall votes at 5:15 p.m. These votes will be on the confirmation of the Prieto and Nayak nominations and on the motion to discharge the Sung nomination.

JOHN LEWIS VOTING RIGHTS ADVANCEMENT ACT

Madam President, in reference to what just occurred on the floor in terms of voting rights, this is a low, low point in the history of this body. A few moments ago, Senate Republicans, for the fourth time this year, were presented with a simple question: Will they vote in favor of starting debate—merely a debate—on protecting voting rights in this country?

In today's case, they would join Democrats in proceeding to the John Lewis Voting Rights Advancement Act, which would reinstate longstanding and widely embraced Federal protections on the right to vote.

With just one exception, Republicans once again obstructed the Senate from beginning its process. Given the chance to debate in what is supposed to be the world's greatest deliberative body, Republicans walked away.

Today's obstruction was only the latest in a series of disturbing turns for the Republican Party. For over a half a century, the policies of the Voting Rights Act have commanded bipartisan support in this Chamber. It has been reauthorized five times, including by Presidents Nixon, Reagan, and Bush. Many of my Republican colleagues in office today have worked in the past to improve and approve preclearance provisions similar to the ones contained in today's proposal.

It was good enough for Republicans back then; it should have been good enough for them today. But after today's vote, it is clear that the modern Republican Party has turned its back on protecting voting rights. The party of Lincoln is becoming the party of the Big Lie.

Democrats have laid out the facts for months: we are witnessing at the State level the greatest assault on voting rights since the era of segregation. Before our very eyes, the heirs of Jim Crow are weakening the foundations of our democracy.

And by blocking debate today, Senate Republicans are implicitly endorsing these partisan actions to suppress the vote and unravel our democracy.

We have said all year long that if there is anything worth the Senate's attention, it is protecting our democracy. We have tried for months to get Republicans to agree. We have lobbied Republicans privately. We have gone through regular order. We have attempted to debate them on the floor.

We have presented reasonable, commonsense proposals in June, August, October, and now in November. Each